

CONCUR



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How to ShortList
Cost
How

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March 25, 1996

To: Lester Snow and Sharon Gross, CalFed Bay Delta Program

From: Scott McCreary and John Gamman, CONCUR
and Eugenia Laychak, CCPDR

Re: Key Outcomes of March 21st BDAC Meeting and Implications for Next
BDAC Meeting

Assumptions

I. Introduction and Context of this Memorandum: As you have requested, we have prepared this memorandum to highlight some of the most important outcomes of BDAC meeting, convened on March 21st at the Beverly Garland Hotel in Sacramento. This internal memorandum is meant to complement the meeting summary. (The full summary, after revision, is intended for inclusion in the next BDAC packet.)

In drafting this memorandum, we have closely reviewed the outcomes of both the BDAC meeting and looked back at our findings from Workshop 5. Based on this review, we have identified both process questions and some technical issues that merit further attention.

We want to use this memo to help us prepare for a debriefing meeting which we propose to convene on Thursday, March 28th. We also propose to use part of this Thursday meeting to prepare a first draft of the agenda for the next BDAC meeting. In this way, we can help "close the loop" and ensure that the comments of BDAC members are more effectively plugged back into the next steps in the CALFED process.

II. Summary of Key Items That Merit Attention

Several key items emerged from the meeting. Some of these items mirror comments we heard at Workshop 5; others are new concerns. They include:

Policy and Substantive Issues

1) Continue to clarify and manage BDAC members' expectations of their own roles and responsibilities. Mike Madigan clearly stated the need for members to wear two hats--one to represent individual interests and the other working towards consensus at BDAC. BDAC members seem to have a high level of mutual respect and operate with a great deal of civility and deference.

1. Purpose

2. Key assumptions

3. What happens Next

Facilitated Negotiation • Environmental Policy Analysis • Strategic Planning
Training • Regulatory Compliance • Joint Fact-Finding

Preliminary Recommendation : It seems wise to keep BDAC focussed in the short term on the task of clarifying strengths and weaknesses of policy choices, rather than forcing them into a premature declaration of support for specific alternatives, or parts of alternatives. In order to achieve this clarity, the agenda and discussion at the next BDAC meeting probably need to be planned a bit more tightly (see Section III).

2) Clarify the key assumptions used for the habitat and fisheries restoration elements. Clearly distinguish CALFED alternatives from the base case and no action alternatives. After Dick Daniel's initial presentation on habitat restoration, numerous questions were posed by BDAC members as to how the CALFED alternatives treat or incorporate the fish population doubling goals of the CVPIA.

Preliminary Recommendation: In the next discussion of habitat restoration, explain how CVPIA goals are considered or incorporated in the alternatives.

3) Clarify key studies referenced in developing alternatives. BDAC members expressed an interest to see either mention of prior studies considered or perhaps a list of indicators taken into account, particularly in the development of the habitat restoration elements of the alternatives.

Preliminary Recommendation: Include a list of indicators considered in the next BDAC packet.

4) Clarify the use and content of performance indicators in the alternative refinement process. Steve Hall noted, for example, "we need to tell our constituents what kind of measuring stick we're using." Steve Yeager, in his presentation, explained that performance indicators had been used primarily to strengthen weak alternatives, rather than to winnow out alternatives. Several BDAC members appeared to have questions about how this procedure was developed and employed.

Preliminary Recommendation: Develop a short explanation describing how performance indicators were used in strengthening alternatives.

5) Recognize the critical nature of the next 30-60 days in the process. In several of Lester's comments, he stressed the need to ensure honest disclosure of deliberations and opportunities for full engagement in the process.

Several BDAC members and audience participants echoed this view. Mary Selkirk, Hap Dunning, Ann Notthoff and Roberta Borgonovo all took note of the fast pace of the project and raised questions about the extent of opportunities for public review. From the floor, Gary Bobker also raised this question. Most of the comments could be characterized as a caution. However, Hap and Gary explicitly suggested that the process slow down.

Preliminary Recommendation: Acknowledge the concern about the pace, and point out the numerous opportunities for public review between now and the end of Phase I. Recognize that concerns about the pace of alternative refinement process is related to getting satisfactory answers to items 2 through 4. All of these were all raised at Workshop 5, and are likely to arise again in Workshop 6.

We believe these items should be addressed head on. Even where definitive information is lacking, we need to acknowledge the questions to reinforce the legitimacy of the overall CALFED process.

6) Recognize the political and economic consequences of large scale land retirement and water transfers. Several BDAC members pointed out that the various alternatives include possible land retirement actions ranging from 70,000 to 700,000 acres, and that the economic and community consequences at the higher end of the scale are far reaching. In fact, various speakers suggested that the issue of water transfers should be broadened to a topic such as "Reallocation Impact". Other speakers pointed out that at least in Northern California, water transfers had been carried out with little in the way of community impacts, and noted that water transfers have positive impacts, as well.

Preliminary Recommendation: Determine if the focus of the work group is to be primarily on negative impacts, or whether benefits will be treated, as well. Develop some initial categories of reallocation impacts. Use these categories to begin structuring the work of the working group.

7) Recognize the need to link financial strategies with preliminary cost information. Financial strategies are hard to discuss in the abstract. (In fact, initial cost estimates seem to be coming on line just in time in to inform the deliberations of the financial strategies working group).

Preliminary Recommendation: Make sure preliminary cost information is provided to the Financial Strategies working group in a timely manner.

8) Include creation of a new Delta utility and a new water tax as an institutional options in the deliberations of the Financial Strategies working group.

Preliminary Recommendation: Add these options to the mix for consideration.

Procedural Issues

9) Strengthen internal preparation for BDAC meetings among CALFED staff, CONCUR and Center consultants, and the Co-Chairs. While some improvements may be been achieved, we all need to work more closely to ensure that the execution of the next BDAC meeting flows more smoothly.

Recommendation: See steps under Section III of this memo.

10) Tighten up the procedures for the working group before the next groups are launched. These procedures should include drafting preliminary groundrules and a mission statement for the working groups.

Recommendation: Recruit and contact the co chairs of working groups in advance of the meeting. Work with them to establish groundrules and a mission statement.

III. Preparation for the April 26 BDAC Meeting

Agenda Structure


We were pleased to see the incorporation of both specific time slots and presenters in the agenda for this past meeting. These steps provided valuable structure and focus. But, as we all had suspected, there really was not time to work through five substantive policy issues and handle the other pressing business.

In fact, the discussion across the three issues we did cover (habitat restoration, financing strategies, and water transfers) was somewhat uneven. The discussion of habitat restoration had the quality of a sort of referendum on staff's approach, and raised many questions about key assumptions. The discussion on economic strategies was in some ways the cleanest, and the preparation of an outline of key points and early coordination between staff and the Working Group chair paid off. The discussion of water transfers did yield some valuable kernels that can be used to frame more specific subissues, but it also proved to be a forum for various BDAC members to restate the same issues.

Again, a more focused set of speaking notes for staff presenters, a reminder to co chairs about the objectives of this item, and even more specific questions posed on the actual agenda itself would all help keep a sharper focus on these items.

A Preliminary List of Candidate Agenda Items for April 26 BDAC Meeting

Here is a preliminary list of agenda items. When we meet, we should try to articulate objectives for each item, the time duration, and identify staff presenters and needed handouts.

- Summary of Public Comments from Scoping Meetings
- Summary of Public Comments from Workshop 6
- Solution Principles (These were introduced, but not covered on March 21st) 
- Overview of Key Assumptions
- • Report of the Financial Strategies Working Group
- • Report of the Habitat Restoration Working Group
- Water Quality (On March 21st agenda, but not discussed)
- Demand Management (On March 21st agenda, but not discussed)

Given the unfinished work on Habitat Restoration, and the fact that both the Habitat and Financial Strategies working groups are slated to meet before the next BDAC meeting, we may still want to stagger detailed discussions of the water quality and demand management over the next two BDAC meetings.

Speaking Notes for Co-Chairs.

Preparing speaking Notes for Co-Chairs seemed valuable. At least for some of the items, the Co-chairs stuck to the main points quite specifically. The speaking notes were less effective than they might have been, since they were not distributed to co chairs until the actual meeting. (See points below on protocols for communication with co chairs.)

Communication Protocols with Co-Chairs

While it was useful to organize the conference call with Mike Madigan, there was a disconnect between the internal planning with CALFED staff, CONCUR and the Center and the actual implementation of the plans by the Co-chairs. Part of this problem stemmed from Sunne's unavailability for conference calls, and from Mike Madigan's late arrival at the BDAC meeting.

We suggest that we arrange at least one conference call with Co-Chairs, and that ideally Scott and Eugenia would participate. We also recommend that the speaking notes be completed and faxed at least a day prior to the meeting, so that the Co-Chairs have additional time to digest the objectives for each agenda item.

Rehearsal Meeting

Although this will be challenging to pull off given the press of other activities, we want to recommend that the rehearsal meeting cover an actual dry run of the staff presentations.

Deadline for BDAC Comments

Given the desire of BDAC members to comment on staff documents in writing, and the mailing deadlines for the BDAC packet, a deadline must be established for receipt of comments.

Confirmation of Room Layout and Set Up

It might be useful to prepare a simple sketch map and fax it to the conference services staff at the hotel hosting the next BDAC meeting, and then to reconfirm that this exact room layout has been followed with a phone call the day before the meeting.

Staff and Co-Chair Seating

If Sunne will co-chair part of the next meeting or take the lead on specific agenda items, it might be worth seating Sharon next to Sunne, to provide any on site guidance in working through the agenda.

Public Comments

Several of the public comments seemed to stretch out to 10 or even 15 minutes. Perhaps a 3 to 5 minute limit can be placed on public comments.